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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,963	06/28/2000	Michael Griffiths	BS99-155	6372

28970 7590 03/26/2004

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EXAMINER

ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/26/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09 604 963

Applicant(s)

Griffiths

Examiner

O. Escalante

Group Art Unit

2645-

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on Amendment A filed 1/13/03
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-20, 22-23 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-20, 22-23 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

Art Unit: 2645

### DETAILED ACTION

1. This action is in response to applicant's amendment filed on November 13, 2003. **Claims 1-20,22 and 23** are now pending in the present application.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-20,22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAllister et al. US Patent 5,978,450 in view of Heinmiller et al. US Patent 6,101,246

*Regarding claim 1*, McAllister teaches a system for providing away-from-home calling service (Personal Dial Tone Service; abstract) in which a subscriber makes a telephone call from a subscriber telephone (col. 6, lines 32-49) comprising:

a switch (SSP) coupled to the subscriber telephone (1<sub>A</sub> or 1<sub>B</sub>) on which a trigger is provisioned to intercept telephone calls intending to use the calling service, (col. 15, line 58-col. 16, line 5; col. 20, lines 8-19);

Art Unit: 2645

a service control point (19) coupled to the switch (SSP) provisioned to receive an authentication information from the switch, wherein the authentication information is entered by the subscriber through a telephone keypad (col. 16, lines 6-30; col. 17, lines 8-24);

a line database (IP 23) storing authentication and verification information (col. 17, lines 40-56) and services information regarding home telephone services provisioned on the subscriber's home telephone line, (col. 17, lines 8-24; fig. 5) wherein the line database provides the information regarding the home telephone services to the switch if the received authentication information and the authentication and verification information matches, and wherein the switch completes the telephone call using the telephone services provisioned on the subscriber's home telephone line returned to the switch, (col. 18, lines 7-32; col. 21, lines 31-43; figs. 5-S46).

McAllister does not specifically teach of the service control point comparing the received authentication information with the authentication and verification information stored in the line database. However, while the preferred embodiment of McAllister provides for the IP comparing the received authentication information, McAllister suggests in col. 24, lines 38-47 that it will be possible to build this functionality without the use of the IP. For example, McAllister suggests that the switch itself will challenge the caller, analyze spoken information and identify the subscriber to select the appropriate profile, without routing to an IP or the like. Therefor it would have been obvious to use an alternative means such as a SCP to perform the authentication.

Nonetheless Heinmiller teaches that it was well known in the art to have a service control point acquire authentication information from the subscriber through the switch, and wherein the

Art Unit: 2645

service control point compares the received authentication information with the authentication and verification information stored in the database, (col. 1, line 52-col. 2, line 6,32-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McAllister by authenticating the subscriber in the SCP as taught by Heinmiller so that a cheaper and more compact authentication system can be utilized.

*Regarding claim 2*, McAllister teaches wherein the telephone subscriber is prompted to enter call completion information after being authenticated, (figs. 4 and 5-steps S17, S18; col. 21, lines 44-55).

*Regarding claim 3*, McAllister teaches wherein the switch performs the prompting, (col. 21, lines 44-55).

*Regarding claim 4*, McAllister teaches a service control node, which performs the prompting, (col. 21, lines 44-55).

*Regarding claim 5*, McAllister teaches wherein the call completion information comprises a called party telephone number, (col. 21, lines 44-53).

*Regarding claim 6*, McAllister teaches a method for providing an away from home calling service, (abstract; col. 6, lines 32-49), comprising the steps of:

dialing an access number by a caller to access the away from home calling service, wherein the dialing triggers a switch (col. 20, lines 20-24);

prompting the caller for authentication information, wherein the caller's authentication information is entered by the caller through a telephone keypad; (col. 20, lines 43-49);

authenticating the caller, (col. 21, lines 8-16);

Art Unit: 2645

querying home service information by the service control point regarding the caller's home telephone to deliver to the switch if the authentication information received from the caller matches with the stored authentication and verification information, (col. 21, lines 8-43);  
prompting the caller for call completion information, (col. 21, lines 44-55); and  
completing the telephone call using the telephone services provisioned on the subscriber's home telephone line, (col. 21, lines 44-55; figs. 4-5).

McAllister does not specifically teach authenticating the caller at a service control point by comparing the authentication information received from the caller and authentication and verification information stored in a database. However, while the preferred embodiment of McAllister provides for the IP comparing the received authentication information, McAllister suggests in col. 24, lines 38-47 that it will be possible to build this functionality without the use of the IP. For example, McAllister suggests that the switch itself will challenge the caller, analyze spoken information and identify the subscriber to select the appropriate profile, without routing to an IP or the like. Therefor it would have been obvious to use an alternative means such as a SCP to perform the authentication.

Nonetheless, Heinmiller teaches that it was well known in the art to have a service control point acquire authentication information from the subscriber through the switch, and wherein the service control point compares the received authentication information with the authentication and verification information stored in the database, (col. 1, line 52-col. 2, line 6,32-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McAllister by authenticating the subscriber in the

Art Unit: 2645

SCP as taught by Heinmiller so that a cheaper and more compact authentication system can be utilized.

***Regarding claim 7***, McAllister teaches prompting the caller for call completion information, (col. 21, lines 44-55).

***Regarding claim 8***, McAllister teaches obtaining a PIN from the caller, (col. 24, lines 31-37).

***Regarding claim 9***, McAllister teaches responding to a trigger encountered when the caller dials the access number, (col. 20, lines 25-32).

***Regarding claim 10***, McAllister teaches performing a database search to obtain the home service information, (col. 20, lines 39-57; col. 21, lines 18-31).

***Regarding claim 11***, McAllister teaches a switch (SSP) for allowing a telephone subscriber to make a telephone call from a remote telephone using services provisioned on the telephone subscriber's home telephone (abstract; col. 6, lines 32-49; col. 20, lines 1-19) comprising:

means for receiving a telephone call from a caller, (col. 20, lines 20-24);

a trigger provisioned to respond to the received telephone call by sending a message to an service control point, (col. 15, line 58-col. 16, line 5);

means for prompting the caller to enter authentication and validation information,  
wherein the authentication and validation information is entered by the subscriber through a keypad of the remote telephone (col. 20, lines 43-49);

means for sending the authentication and validation information to the service control point, (col. 20, lines 43-49);

Art Unit: 2645

means for receiving a message containing the home services provisioned on the caller's home telephone line, wherein the message is queried by the service control point if the received information matches with the stored information (col. 21, lines 8-43);

means for prompting the caller for call completion information, (col. 21, lines 44-55); and

means for completing the call in accordance with the call completion information and home services information, (figs. 4-5; col. 21, lines 44-55).

McAllister does not specifically teach wherein the service control point received the entered authentication and validation information and compares the received information with authentication and verification information stored in a database. However, while the preferred embodiment of McAllister provides for the IP comparing the received authentication information, McAllister suggests in col. 24, lines 38-47 that it will be possible to build this functionality without the use of the IP. For example, McAllister suggests that the switch itself will challenge the caller, analyze spoken information and identify the subscriber to select the appropriate profile, without routing to an IP or the like. Therefor it would have been obvious to use an alternative means such as a SCP to perform the authentication.

Nonetheless, Heinmiller teaches that it was well known in the art to have a service control point acquire authentication information from the subscriber through the switch, and wherein the service control point compares the received authentication information with the authentication and verification information stored in the database, (col. 1, line 52-col. 2, line 6,32-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McAllister by authenticating the subscriber in the



Art Unit: 2645

SCP as taught by Heinmiller so that a cheaper and more compact authentication system can be utilized.

*Regarding claim 12*, McAllister teaches wherein the trigger is a termination attempt trigger, (col. 20, lines 39-57).

*Regarding claim 13*, McAllister teaches wherein the trigger is a public office dialing plan trigger, (col. 21, lines 44-53).

*Regarding claim 14*, McAllister teaches wherein the authentication and validation information comprises a PIN, (col. 24, lines 31-37).

*Regarding claim 15*, McAllister teaches wherein the authentication and validation information comprises an account number, (col. 24, lines 31-37).

*Regarding claim 16*, McAllister teaches a system for allowing a caller to complete a telephone call made from a remote telephone using services available to the caller on his or her home telephone (1<sub>B</sub>), (abstract; col. 20, lines 1-19), comprising:

a remote telephone (1<sub>A</sub>) on which the caller calls an access telephone number to make the telephone call by using service available to the caller on his or her home telephone, (col. 20, lines 1-19);

a switch (SSP) to receive the access telephone number from the caller and in response thereto, obtain validation and authentication information from the caller, (col. 20, lines 43-49), to obtain home service information related to the caller's home telephone line, and to complete the telephone call in accordance with the home service information, wherein the validation and authentication information is entered by the caller through a keypad of the remote telephone; and (col. 21, lines 44-55; figs. 4-5).

Art Unit: 2645

McAllister does not specifically teach a service control point for receiving the validation and authentication information entered by the caller, comparing the received information with information stored in a database and authorizing the caller to use the service. However, while the preferred embodiment of McAllister provides for the IP comparing the received authentication information, McAllister suggests in col. 24, lines 38-47 that it will be possible to build this functionality without the use of the IP. For example, McAllister suggests that the switch itself will challenge the caller, analyze spoken information and identify the subscriber to select the appropriate profile, without routing to an IP or the like. Therefor it would have been obvious to use an alternative means such as a SCP to perform the authentication.

Nonetheless Heinmiller teaches that it was well known in the art to have a service control point for receiving the validation and authentication information entered by the caller, comparing the received validation and authentication information with validation and authentication information stored in a database, (col. 1, line 52-col. 2, line 6,32-43). Therefore, the suggestion of Heinmiller to use the SCP would allow the SCP of McAllister to use the service available to his or her home telephone if the received information matches with the stored information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McAllister by authenticating the subscriber in the SCP as taught by Heinmiller so that a cheaper and more compact authentication system can be utilized.

***Regarding claim 17***, McAllister teaches wherein the authentication and validation information comprises a PIN, (col. 24, lines 31-37).

Art Unit: 2645

***Regarding claim 18***, McAllister teaches wherein the authentication and validation information includes a subscriber away-from-home account number, (col. 24, lines 31-37).

***Regarding claim 19***, McAllister teaches wherein the telephone call is a long distance telephone call, and the home service information comprises a long distance carrier, (col. 20, lines 1-24).

***Regarding claim 20***, McAllister teaches a method for providing telephone services provisioned on a subscriber's home telephone line when the subscriber is away from home, (abstract; col. 6, lines 32-49), comprising the steps of:

provisioning a trigger on a switch that is encountered when a subscriber attempts to use home telephone line services while away from home, (col. 15, line 58-col. 16, line 5; col. 20, lines 1-19);

requesting authorization and validation information from the subscriber when the trigger is encountered, wherein the authorized and validation information is entered by the subscriber through a keypad of a remote telephone (col. 16, lines 6-30);

transmitting the authorization and validation information to a service control point, (col. 17, lines 8-24);

confirming the subscriber is a valid user on the basis of the authorization and validation information, (col. 17, lines 8-24);

returning telephone services provisioned on the subscriber's home telephone line to the switch if the subscriber is a valid user, (col. 18, lines 7-32; col. 21, lines 31-43); and

completing a telephone call using the telephone service provisioned on the subscribers home telephone line, (\*\*).

Art Unit: 2645

McAllister does not specifically confirm the subscriber at the service control point. However, while the preferred embodiment of McAllister provides for the IP comparing the received authentication information, McAllister suggests in col. 24, lines 38-47 that it will be possible to build this functionality without the use of the IP. For example, McAllister suggests that the switch itself will challenge the caller, analyze spoken information and identify the subscriber to select the appropriate profile, without routing to an IP or the like. Therefore it would have been obvious to use an alternative means such as a SCP to perform the authentication.

Nonetheless, Heinmiller teaches that it was well known in the art to have a service control point for receiving the validation and authentication information entered by the caller, comparing the received validation and authentication information with validation and authentication information stored in a database, (col. 1, line 52-col. 2, line 6, 32-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of McAllister by authenticating the subscriber in the SCP as taught by Heinmiller so that a cheaper and more compact authentication system can be utilized.

***Regarding claim 22***, McAllister teaches obtaining call completion information from the subscriber after the subscriber has been validated, (col. 21, lines 44-55).

***Regarding claim 23***, McAllister teaches obtaining a PIN from the subscriber as part of the authentication and validation information, (col. 24, lines 31-37).

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-20, 22 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2645

*Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Art Unit: 2645

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262. The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ovidio Escalante  
Examiner  
Group 2645  
January 15, 2004

FAN TSANG  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2600

